

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**SPECIAL MEETING**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**

April 29, 2019  
5:15 p.m.

The special meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Shawn Mueske, Kathy Schwantes, Vicki Davis, Julie Asmus, Andrew Plowman, and Audrey Nelsen. Present 8, Absent 1.

Also present were City Administrator Ike Holland, Police Sergeant Vince King, Finance Director Steve Okins, Recreation Director Rob Baumgarn, Fire Chief Frank Hanson, Planning and Development Services Director David Ramstad, Public Works Director Sean Christensen, Human Resource Director Samantha Beckman, City Planner Sarah Swedburg, City Clerk Judy Thompson and City Attorney Robert Scott.

Mayor Calvin stated he desired to add Public Comment to the agenda. Due to the fact this is a special meeting, only comments to the agenda items would be allowed.

Jay Lawton, Willmar, addressed the Mayor and Council during the Public Comment. Mr. Lawton stated his desire that a new city office building be located downtown, and inquired about the possibility of the city offices and the municipal utilities be combined in one building and possibly use one of the current city-owned buildings.

Joe Ridler, Willmar, addressed the Mayor and Council during the Public Comment. Mr. Ridler asked the Mayor and Council to slow down the process of a new city office building, and to consider the effects this project would have on senior citizens and fixed income households.

Ron Christianson, Willmar, addressed the Mayor and Council during the Public Comment. Mr. Christianson stated if the Council decides to keep the city offices downtown, they should remodel the current facility. If the decision to not keep the city offices downtown, he suggested the Council consider building at the current community center location and have both the city offices and community center in one building.

The Labor Relations Committee Report for April 22, 2019, was presented to the Mayor and Council by Council Member Mueske. There were five items for consideration.

Item No. 1 Due to administrative changes in how PERA administers their survivor benefit, retirees in the Police and Fire Department plans will receive a smaller pension payment if they retire June 1<sup>st</sup> or later. Staff proposed adding the option that employees who provided their 90 days' notice by March 31<sup>st</sup>, may depart earlier than their 90 days. It was the recommendation of the committee to approve staff's recommendation.

Council Member Fernando Alvarado arrived at 5:25 p.m.

Following discussion, **Resolution No. 19-065 Authorizing Certain Employees Participating in the City' Early Retirement Program to Retire Less Than 90 Days After Providing Notice of Retirement to the City** was introduced by Council Member Mueske. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 2 Staff presented an updated City Administrator job description as well as examples from several other cities. It was the recommendation of the committee to approve staff's recommendation pending the addition of a communication requirement.

Following discussion, Council Member Mueske offered a motion to approve the updated City Administrator job description as presented. Council Member Asmus seconded the motion which carried.

Item No. 3 Staff confirmed that we are able to switch recruiters at Baker Tilly if desired and they can also send a representative to Willmar to present their proposal and answer any questions if desired. The timeline and price between GovHR and Baker Tilly are very similar along with the services they provide. It was the recommendation of the committee to approve Baker Tilly as our recruiting firm for \$22,750 due to our prior and continuing relationship with Springsted and the fact that they are locally based.

Following discussion, **Resolution No. 19-066 Authorization to Execute Agreement with Baker Tilly Virchow Krause, LLP for City Administrator Recruitment** was introduced by Council Member Mueske. Council Member Asmus, seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 Staff presented the contact list of Interim Administrators provided by the League of Minnesota Cities. A rough timeline of mid-June through October/November was established as the predicted length of time the City would need an interim. A list of priorities was also started for what the Interim would need to complete or focus on. Staff will begin contacting the list of interims provided by the League of MN Cities and finding out who is available and interested in our opening.

Human Resource Director Samantha Beckman was recommending approval to post the Interim Administrator position immediately.

Council Member Mueske offered a motion to post the Interim Administrator position immediately with the current job description. Council Member Schwantes seconded the motion.

Mayor Calvin spoke against the motion as he feels the scope of the work and the work hours haven't been fully vetted. He would like to have the scope of work, work hours, and compensation fully defined.

There being no further discussion, the motion carried.

Item No. 5 Staff presented the second section of the updated employee personnel policy obtained from the League of MN Cities. At the League's recommendation, staff is utilizing their handbook template and customizing it to Willmar's policies and procedures. This item was for information only.

The Labor Relations Committee Report for April 22, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Mueske, seconded by Council Member Asmus, and carried.

Park and Recreation Director Rob Baumgarn presented a request to approve the Park and Recreation Board's recommendation to support "Option D" for the four season shelter at Robbins Island and to re-allocate, seek or budget dollars toward this project, or approve another option.

Richard Engan of Engan Associates presented the various options for Council's consideration.

During discussion, several Council Members voiced their concern over the high cost of "Option D" and whether all this space is needed, and explored all the options presented by Mr. Engan.

Staff was directed to provide a detailed list of projected costs of contingencies at the May 6, 2019 Council meeting.

Following a lengthy discussion, Council Member Mueske offered a motion to approve "Option E" as the recommended concept. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Schwantes voted "no."

Council Member Nelsen read a prepared statement regarding her conflict of interest for possible city hall site selection of Block 25, and asked to be excused from discussion and the remainder of the Council meeting for this evening. Council Member Nelsen was excused at 6:24 p.m.

Council Member Schwantes presented a review of the city hall site selection process to date. Ms. Schwantes indicated the City Hall Task Force has narrowed down to three site concepts for Council's consideration: 1) Remodel the current city hall building; 2) Demolish the current city hall building and construct a new city hall possibly connecting with the city auditorium, and; 3) Consider vacant land on Block 25 for construction of a new city hall.

City Attorney Robert Scott briefed the Mayor and Council on some legal issues to consider prior to holding a discussion on the city hall site selection in reference to Block 25 and Council Member Nelsen's potential indirect financial interest. Mr. Scott referenced City Charter Section 9.02 and State Statute §471.87. Mr. Scott stated if the Council decides tonight that Block 25 is the preferred site, the Council should direct Mr. Scott's office to draft a resolution for Council approval at the May 6, 2019 Council meeting to formally organize the preparations to acquire said site.

City Administrator Ike Holland stated he has been informed the corner lot on Block 25 is also available for sale and possible purchase by the City should they desire to acquire the entire block.

Following discussion, Council Member Schwantes offered a motion to direct City Attorney Robert Scott to prepare a resolution making findings of fact consistent with tonight's discussion to the effect that 1) Council Member Nelsen's interest in the estate property is involuntary; 2) that Council Member Nelsen has fully complied with Charter Section 9.02 and the Council's conflict of interest policy, and; 3) that city staff be directed to pursue the acquisition of portions of Block 25 that the city does not currently own. Council Member Asmus seconded the motion.

Following a lengthy discussion, Council Member Schwantes withdrew her motion and Council Member Asmus withdrew her second.

Consensus of the Council was to hold a public meeting to gain public input on the three proposed site concepts.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Mueske seconding the motion which carried. The meeting adjourned at 7:32 p.m.

s/s Marv Calvin

MAYOR

Attest:

s/s Judy Thompson

SECRETARY TO THE COUNCIL

**CITY OF WILLMAR  
RESOLUTION NO. 19-065**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA  
AUTHORIZING CERTAIN EMPLOYEES PARTICIPATING IN THE CITY'S EARLY RETIREMENT PROGRAM  
TO RETIRE LESS THAN 90 DAYS AFTER PROVIDING NOTICE OF RETIREMENT TO THE CITY**

Motion By: Mueske

Second By: Asmus

**WHEREAS**, the Willmar City Council ("City Council") adopted Resolution 19-014 on January 7, 2019, pursuant to which the City Council amended the City's "Early Retirement Program" ("ERP") by establishing a

date on which the ERP would discontinue for current City employees, while still providing a limited window of time for those employees who were eligible for the ERP on the effective date of Resolution No. 18-157, previously adopted, to retire and participate in the program ("participating employees"); and

**WHEREAS**, the City Council, in adopting Resolution No. 19-014, established a retirement deadline for participation in the ERP of June 30, 2019, and further required that participating employees provide written notice to the City's Human Resources Director at least 90 days in advance of the employee's retirement date meaning that the latest date on which a notice of retirement by participating employee could have been submitted was March 31, 2019; and

**WHEREAS**, it has come to the City Council's attention that certain participating employees who provided notice of retirement on or before the March 31, 2019 notice deadline will receive reduced survivor benefits as a result of changes being made to Minnesota's Public Employees Retirement Association ("PERA") retirement plan if they cannot retire sooner than 90 days after providing their written notices of retirement to the City; and

**WHEREAS**, the City Council wishes to allow participating employees to receive PERA's current survivor benefit, and therefore authorizes participating employees whose survivor benefit would be reduced if they could not retire sooner than 90 days after providing their written notices of retirement to the City retire on an earlier date than stated in their notices.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Willmar that participating employees whose survivor benefit would be reduced if they could not retire sooner than 90 days after the date they provided their written notices of retirement to the City are hereby authorized to retire on an earlier date than stated in their notices, upon verification that circumstances consistent with this Resolution exist and approval of the earlier retirement date for each participating employee by the City's Human Resources Director.

Adopted by the City Council of the City of Willmar on April 29, 2019.

Approved:

s/s Marv Calvin

Mayor

Attested:

s/s Judy Thompson

City Clerk

#### **RESOLUTION NO. 19-066**

#### **AUTHORIZATION TO EXECUTE AGREEMENT WITH BAKER TILLY VIRCHOW KRAUSE, LLP FOR CITY ADMINISTRATOR RECRUITMENT**

Motion By: Mueske

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an agreement between the City of Willmar and Baker Tilly Virchow Krause, LLP to provide professional services in the area of executive recruitment for the position of City Administrator IN THE AMOUNT OF \$22,750.00.

Dated this 29th day of April, 2019.

s/s Marv Calvin

MAYOR

Attest:

s/s Judy Thompson

CITY CLERK